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9 Attorneys for Defendant
10 CONNECTU, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION

14 THE FACEBOOK, INC. and MARK
15 ZUCKERBERG,

16 Plaintiffs,

17 v.

18 CONNECTU, INC. (formerly known as
CONNECTU, LLC), PACIFIC NORTHWEST
19 SOFTWARE, INC., WINSTON WILLIAMS,
and WAYNE CHANG,

20 Defendants.

21 Case No. 5:07-CV-01389-JW

22 **DECLARATION OF STEVEN C.
HOLTZMAN IN SUPPORT OF
CONNECTU'S ADMINISTRATIVE
MOTION TO SEAL**

23 **(1) CONNECTU, INC.'S OPPOSITION
TO MOTION TO QUASH;
(2) SECOND DECLARATION OF
EVAN A. PARKE IN SUPPORT
THEREOF;
(3) SUPPLEMENTAL
DECLARATION OF ROBERT T.
CLARKSON IN SUPPORT
THEREOF;
(4) DECLARATION OF ROBERT T.
CLARKSON IN SUPPORT
THEREOF;
(5) DECLARATION OF CAMERON
WINKLEVOSS IN SUPPORT
THEREOF;
(6) CORRECTED DECLARATION
OF DONNA HITSCHERICH IN
SUPPORT THEREOF; AND
(7) [PROPOSED] ORDER DENYING
THE MOTION TO QUASH AND FOR A
PROTECTIVE ORDER FILED BY
FENWICK & WEST LLP AND
GREGORY ROUSSEL**

1 I, Steven C. Holtzman, declare as follows:

2 1. I am a partner with the law firm of Boies, Schiller & Flexner LLP, counsel
3 to ConnectU, Inc. I am licensed to practice law in the State of California and have
4 entered my appearance in this case. I have personal knowledge of the facts and
5 circumstances set forth in this Declaration. I make this Declaration pursuant to Civil L.R.
6 7-11 and 79-5(b).

7 2. Good cause exists for sealing (1) ConnectU, Inc.'s Opposition To Motion
8 To Quash; (2) Second Declaration Of Evan A. Parke In Support Thereof; (3)
9 Supplemental Declaration Of Robert T. Clarkson In Support Thereof; (4) Declaration Of
10 Robert T. Clarkson In Support Thereof; (5) Declaration Of Cameron Winklevoss In
11 Support Thereof; (6) Corrected Declaration Of Donna Hitscherich In Support Thereof;
12 And (7) [Proposed] Order Denying The Motion To Quash And For A Protective Order
13 Filed By Fenwick & West LLP And Gregory Roussel.

15 Plaintiffs have taken the position that their Administrative Request and all papers
16 filed in support thereof contain confidential information that is subject to the protection in
17 the Stipulated Protective Order dated January 23, 2006. The materials requested to be
18 sealed in this motion contain the same or related information that Plaintiffs contend is
19 covered by that Protective Order and/or are alleged by Plaintiff to implicate
20 confidentiality provisions found in a purported agreement that is the subject of dispute
21 between the parties.¹

23 3. This Administrative Motion is being made pursuant to Civil L.R. 79-5,
24 which requires a Court order to seal documents and does not permit sealing by
25

26 _____
27 ¹ By filing this declaration, ConnectU does not waive any arguments or rights as to (i) the admissibility or
inadmissibility of evidence surrounding the purported agreement, (ii) the confidentiality or non-
confidentiality of information relating to the purported agreement, or (iii) the enforceability or
unenforceability of the purported agreement.

1 stipulation.

2 I declare under penalty of perjury that the foregoing is true and correct to the best
3 of my knowledge. Executed this 2nd day of June, 2008.

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5 /s/ Steven C. Holtzman

6 Steven C. Holtzman

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that this document(s) filed through the ECF system will be sent
3 electronically to the registered participants as identified on the Notice of Electronic Filing
4 (NEF) and paper copies will be sent to those indicated as non registered participants on
5 June 2, 2008.

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7 Dated: June 2, 2008

8 _____
9 */s/ Steven C. Holtzman*
10 Steven C. Holtzman

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